

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

Re: ECF Nos. 3958, 4032

(Jointly Administered)

SECOND URGENT MOTION FOR EXTENSION OF DEADLINES

To the Honorable United States District Court Judge Laura Taylor Swain:

The Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), on behalf the Commonwealth of Puerto Rico (the “Debtor”), pursuant to the authority granted to it under the *Enabling Act of the Fiscal Agency and Financial Advisory Authority*, Act 2-2017, respectfully submits this urgent motion for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadlines set forth in the *Order Granting Urgent*

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Consented Motion for Extension of Deadlines (Docket Entry No. 4024) [ECF No. 4032] (the “Amended Scheduling Order”).²

Request for Relief

1. On September 21, 2018, Ponce Real Estate Corporation (“Movant”) filed a *Motion for Application Requesting Administrative Rent Payment* [Case No. 17 BK 3283, ECF No. 3958] (the “Motion”), requesting that the Court order the Debtor to pay Movant the amount of \$62,190.00 in administrative rent. Motion at 3.

2. On October 9, 2018, the Court entered the Amended Scheduling Order, which provides that opposition papers to the Motion must be filed by October 22, 2018 at 5:00 p.m., and Movant’s reply by October 29, 2018 at 5:00 p.m.

3. The Debtor is in the process of analyzing all the relevant information to respond to the Motion and needs additional time to finalize and file the response to the same. As a result, the Debtor reached out to Movant’s counsel and requested Movant’s consent to the proposed extension. However, as of today, Movant’s counsel has not responded³. Accordingly, the Debtor requests the following extensions of the deadlines set forth in the Amended Scheduling Order:

- The deadline to file oppositions to the Motion, or to otherwise respond, shall be extended to **October 29, 2018**.
- The deadline for Movant to file a reply to any oppositions shall be extended to **November 5, 2018**.

² The Financial Oversight and Management Board for Puerto Rico, as the Debtor’s representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), has authorized AAFAF to file this Urgent Motion on behalf of the Commonwealth.

³ While Movant’s counsel may respond before the current deadline, the Debtor is filing this request now out of an abundance of caution.

4. Pursuant to Paragraph 1.H of the *Sixth Amended Notice, Case Management and Administrative Procedures* [Case No. 17-03283 (LTS), ECF No. 3804-1] (the “Case Management Procedures”), the Debtor hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter without a hearing; and has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court.

Notice

5. The Debtor has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors’ bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight Board; (g) the Puerto Rico Department of Justice; (h) the Other Interested Parties;⁴ (i) all parties filing a notice of appearance in these Title III cases; and (j) Movant. A copy of the motion is also available on the Debtors’ case website at <https://cases.primeclerk.com/puertorico/>.

6. The Debtor submits that, in light of the nature of the relief requested, no other or further notice need be given.

WHEREFORE, the Debtor respectfully requests the Court enter the Proposed Order and grant such other relief as is just and proper.

⁴ The “Other Interested Parties” include the following: (i) counsel to certain of the insurers and trustees of the bonds issued or guaranteed by the Debtors; and (ii) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors.

Dated: October 19, 2018
San Juan, Puerto Rico

Respectfully submitted,

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Exhibit A

Proposed Order